



CITY OF SAN JOSÉ, CALIFORNIA

COUNCILMEMBER PIERLUIGI OLIVERIO
COUNCIL DISTRICT 6

April 15, 2009

Dear Neighbors,

The purpose of my letter is to provide an update for you regarding the recent negotiation between Asante Development and the Union Pacific Railroad Company.

As you may remember, I held a community meeting on February 4, 2009 regarding the possibility of Asante Development building 14 homes on the former railroad site between Broadway and Coe Avenues, including Leona Court. Recently, I have been notified by the railroad company that Asante is no longer moving forward in acquiring these parcels due to the recession. Therefore, the parcels are still for sale.

As you know, this property has been on the market for eight years. Although the City has included the Willow Glen Spur Trail in its Green Print and has shared that they would like to see this area be a trail, the City did not move forward in acquiring any part of the land until last year when my memo regarding the Willow Glen Spur Trail was approved by council which directed city staff to move forward in purchasing some of the Union Pacific property within the boundary of Los Gatos Creek and Highway 87. The City is still in negotiations and only has money for some of the land, therefore, Union Pacific has a legal right to sell the other parcels to whomever they choose.

I find the news of Asante's departure bittersweet. On one hand, Asante is a local entity who committed to a ready made trail with their development in addition to having distinctive architecture which would ensure high priced homes that would fit it in with the existing neighborhood. Remember, the land in question is already zoned for 10 homes and does not require land dedication for a trail; therefore, any developer has a legal right to build. For example, if a homeowner wanted to demolish their home and build a two story house up to 45 percent of their lot, current private property laws allow them to do so without requiring any notification to the neighborhood. On the other hand, however, I, like many of you, would prefer

that this land remain open space and that a trail be added without homes. However, due to the negligence of the City over the past 8 years of not identifying the money needed to build out the Green Print which would include purchasing parcels from the railroad company, the lack of a community entity working with the railroad company to purchase the property (until recently, the group Save Our Trails was established) and with the current recession upon us, we will need to work diligently to keep this area open space. I encourage all of the home owners in this area to be creative to see if by working collaboratively there could be a way that the former railroad parcels could be purchased privately by existing property owners.

I am holding a community meeting on Thursday, May 21, 2009 at 7:00 PM. to 8:00 PM (at the Willows Community Center located at 2175 Lincoln Avenue) to provide an update regarding the City's ongoing negotiations regarding purchasing some the trail parcel, an opportunity for you and your neighbors to give input and for City staff to speak regarding the trail and their current projections.

Warm regards,
Pierluigi Oliverio
Councilmember, District 6
City of San Jose

200 E. Santa Clara St., 18th Floor Tower, San Jose, CA 95113-1905 OFFICE: (408) 535-4906 FAX: (408) 292-6465

EMAIL: pierluigi.oliverio@sanjoseca.gov WEBSITE: <http://www.sanjoseca.gov/council/dist6/>